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Reporter, 854, the Supreme Court of Tennessee held that ballots containing the word "for" preceding the name of the office, or the direction to vote for two, etc., contained distinguishing marks, and could not be counted. Also that, where the ballots were of the regulation size when cast, they could not be rejected because they were clipped after they were voted.

Wrongfully Issuing Marriage License.—In *Jackson v. Bannister*, 105 Southwestern Reporter, 66, a parent brought an action against a clerk of the court for issuing a marriage license to a daughter scarcely 15 years of age. The statute of Texas makes it a penal offense for a clerk to issue a marriage license to a girl less than 18 years of age without the consent of the parent, but common-law marriages are valid. The Court of Civil Appeal of Texas held that, although the clerk committed an offense, the marriage was valid. The parents, losing the right to her services by reason of the marriage, had no cause of action.

Imputation of Knowledge of Attorney to Client.—The maker and the payee of a note employed the same attorney. It was contended that, as the maker was insolvent, and the attorney knew of it, the payee was chargeable with notice which should have been imparted to a surety, and that a failure to do this operated as a discharge. In the case of *Sebald v. Citizens' Deposit Bank*, 105 Southwestern Reporter, 130, the Court of Appeals of Kentucky held that the imparting of such knowledge by an attorney to another client would be a violation of confidence and of legal ethics, which the court would not presume.

Larceny of One's Own Property.—In *Ayers v. State*, 59 Southeastern Reporter, 924, property had been levied upon by a constable under attachment. Defendant, after promising to replevy the property, moved it into another state. The Court of Appeals of Georgia held that, even though it was his own property, the title, being in the constable, was sufficient to sustain a conviction of larceny.

Purchase of Property by Wife of Co-Tenant.—In *Beaman v. Beaman*, 44 Southern Reporter, 987, intestate left certain realty encumbered by a deed of trust. Plaintiffs and one of defendants were his children, claiming as tenants in common. The property was sold under the trust deed and purchased by the wife of defendant co-tenant. Plaintiffs sued to have the deed canceled. The Supreme Court of Mississippi applied the rule that one tenant cannot purchase an outstanding title and set it up against the other tenants.